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P/3610-75 (4976-79)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jean-Marie GOUOT et al.

Date: March 16, 2009

Serial No.: 10/588,534

Group Art Unit: 1616

Filed: October 12, 2006

Examiner: Sullivan, D. D.

For: FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYLBENZAMIDE DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING MITOSIS AND CELL DIVISION

**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the Office Action mailed December 17, 2008, in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

No additional fee is required.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

**Application Number 10/588,534**  
**Amendment dated March 16, 2009**  
**Response to Office Action dated December 17, 2008**

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.